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Customer Number

Patent
Case No.: 58575US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: SMITH, SAMANTHA D.
Application No.: 10/661908 Group Art Unit: 1732
Filed: September 12, 2003 Examiner: Lechert Jr., Stephen J.
Title: MICROPOROUS PVDF FILMS AND METHOD OF MANUFACTURING

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
I hereby certify that this correspondence is being:	
<input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.	
Date <u>April 19, 2006</u>	Signed by: <u>[Signature]</u>

Dear Sir:

This is in response to the Office Action mailed December 19, 2005. Claims 1-43 are pending. Claims 1-43 were restricted under 35 USC § 121 as follows:

- I. Claims 1-16 and 42-43 are said to be drawn to a shaped article, classified in Class 521, subclass 50;
- II. Claims 17-32 are said to be drawn to a method of making a porous article, classified in Class 264, subclass 41+;
- III. Claims 33-41 are said to be drawn to an ion-conducting membrane, classified in class 429, subclass 12.

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Election

In response, Applicants elect Group I, with traverse.

Reconsideration and withdrawal or modification of the restriction requirement is respectfully requested.

In Group I. Applicants broadly claim a shaped article.

Applicants submit that the Groups I, II and III claims are so interrelated that a search of one group of claims will reveal art to the other. Moreover, the classification of Groups I, II and III claims in different classes and subclasses is not necessarily sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I, II and III, a separate examination of the claims in Groups I, II and III would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I, II and III would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I, II and III, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.